Los Angeles County Sheriff's Department

Officer Involved Shooting

Report Date: 09/10/15	Bureau/Station/Facility: Special Operations Division / S.E.B.	Admin. Invest.? [ ] Hit? [x]

Incident Information

URN: 015-00063-3199-013	Date: 09/10/15 Time: 2052
City or Station: Downey	Nature of Incident: Carjacking suspect with hostage victims was barricaded in a restaurant after pursuit. Special Enforcement Bureau engaged with suspect and a deputy involved shooting occurred.
Location: 9243 Lakewood Boulevard, Downey, CA 90240	

Location Type (*check one or more*):
- [ ] Backyard
- [ ] Beach
- [x] Business
- [ ] Freeway
- [ ] Industrial
- [ ] Park
- [ ] Parking Lot
- [ ] Residence
- [ ] Rural
- [ ] School
- [ ] Street
- Other:

Lighting (*check only one*):
- [x] Darkness
- [ ] Daylight
- [ ] Other
- [ ] Street Lights

Weather (*circle only one*):
- [x] Clear
- [ ] Cloudy
- [ ] Fog
- [ ] Rain

Distance: 45 ft

Incident Type (*check one or more*):
- [ ] Accidental
- [x] Armed Person
- [x] Fleeing Suspect
- [ ] Foot Pursuit
- [ ] Gun Take Away
- [ ] Moving Vehicle
- [ ] Sniper/Ambush
- [ ] Startle
- [ ] Struggle Involved
- [x] Traffic Stop
- [ ] Unarmed Person
- [ ] Unintentional
- [x] Vehicle Pursuit
- [ ] Warrant Service
- [ ] Warning Shot
- Other: Hostage situation

Initiated by (*check only one*):
- [ ] Arrest Warrant
- [ ] Call
- [x] Observation
- [ ] One Person Unit
- [x] Other
- [ ] Search Warrant
- [ ] Two Person Unit

Prior Activity (*check only one*):
- [ ] Detective
- [ ] Inmate Transport
- [x] Other
- [ ] Routine Patrol

Total # of Shots Fired by Deputy: 14

Total # of Shots Fired by Suspect: 2

Aero Unit? [x] Canine Unit? [x]

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*check only one*)	ShiftType (*check only one*)
[redacted]	Stoll	Adam	F.	[ ] EM [x] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty
[redacted]	Munoz	Ricardo		[ ] EM [x] PM [ ] Day	[x] Regular [ ] Overtime [ ] Off Duty
				[ ] EM [ ] PM [ ] Day	[ ] Regular [ ] Overtime [ ] Off Duty

Non-Employee Witnesses

Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph
Last Name		First Name		M.I.
Street Address	City	Zip Code	Work Ph	Home Ph

Supervisors

Employee #	Last Name	First Name	M.I.	(*check one or more*)
[redacted]	Ahmad	Kamal	M.	[x] On Duty [x] Present during shooting [x] Witness to shooting [x] Involved in shooting
[redacted]	Hayes	Patrick	N	[x] On Duty [x] Present during shooting [ ] Witness to shooting [ ] Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Crosswaithe Jr.	Harvey	M.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Escobedo	Sergio	V.

PSTD Use Only

SH # 2386375

Officer Involved Shooting

URN: 015-00063-3199-013

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
09/11/15	0035 hours		

Employee #	Last Name	First Name	M.I.
[redacted]	Adams	John	D.
[redacted]	Hoyt	Jonathan	K.
[redacted]	Carrizosa	Slade	M.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(SS) SIG Sauer
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	FH	ZZ	25	N	N	NN	NN
E1	S1	FR	CO	23	Y	Y	DH	UNK
S1	E2	FH	ZZ	25	N	N	NN	NN
E2	S1	FR	HK	9	Y	Y	DH	UNK
S1	E3	FH	ZZ	25	N	N	NN	NN
E3	S1	FH	BR	9	Y	Y	DH	UNK
S1	E4	FH	ZZ	25	N	N	NN	NN
E4	S1	FR	CO	23	Y	Y	DH	UNK

Officer Involved Shooting
Involved Employee Information

URN: 015-00063-3199-013

Involved Employee

E 1

Field	Value
Employee #	[redacted]
Last Name	Leon
First Name	Daniel
M.I.	R.
Sex	M
Race	H
Rank	B-1
Unit Assignment	S.E.B.
Work Assignment (Unit #, Module, etc.)	244H
ShiftTime (*circle only one*)	[ ] EM [x] PM [ ] Day
ShiftType (*circle only one*)	[x] Regular [ ] Overtime [ ] Off Duty
Intoxication/Drug Usage?	[ ]
Substance Used	
Hospital Admission?	[ ]
Hospital Name	
Coroner Case?	[ ]
Coroner Case #	
Interviewed?	[x]
Hrs of sleep prior to shooting	4-6
Duty Time (hrs)	[redacted]
Clothing (*circle only one*)	[ ] Plain Clothes no Vest [x] Raid Jacket w/ Vest [ ] Plain Clothes w/ Vest [ ] Uniform no Vest [ ] Raid Jacket no Vest [ ] Uniform w/ Vest
Other Factors	
Age	[redacted]
Height	5'10
Weight	210
Range Qualification Date	[redacted]
PPC Qualification Date	[redacted]
Laser Training Date	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit	[redacted]
Prior Shootings?	[x]
Number of Prior Shootings	3
Directed Force	[redacted]
Weapons Fired Brand	Colt
Caliber	.223
# Shots	2
Weapons Fired Brand (2)	
Caliber (2)	
# Shots (2)	
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	[redacted]
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	[redacted]

E 2

Field	Value
Employee #	[redacted]
Last Name	Edwards
First Name	Darell
M.I.	A.
Sex	M
Race	B
Rank	B1
Unit Assignment	S.E.B.
Work Assignment (Unit #, Module, etc.)	243B
ShiftTime (*circle only one*)	[ ] EM [x] PM [ ] Day
ShiftType (*circle only one*)	[x] Regular [ ] Overtime [ ] Off Duty
Intoxication/Drug Usage?	[ ]
Substance Used	
Hospital Admission?	[ ]
Hospital Name	
Coroner Case?	[ ]
Coroner Case #	
Interviewed?	[ ]
Hrs of sleep prior to shooting	unk
Duty Time (hrs)	called out
Clothing (*circle only one*)	[ ] Plain Clothes no Vest [x] Raid Jacket w/ Vest [ ] Plain Clothes w/ Vest [ ] Uniform no Vest [ ] Raid Jacket no Vest [ ] Uniform w/ Vest
Other Factors	
Age	[redacted]
Height	6'3
Weight	220
Range Qualification Date	[redacted]
PPC Qualification Date	[redacted]
Laser Training Date	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit	[redacted]
Prior Shootings?	[x]
Number of Prior Shootings	3
Directed Force	[redacted]
Weapons Fired Brand	Heckler & Koch
Caliber	9mm
# Shots	3
Weapons Fired Brand (2)	
Caliber (2)	
# Shots (2)	
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	[redacted]
Field Training Officer Emp #	
Last Name	N/A
First Name	
M.I.	

E 3

Field	Value
Employee #	[redacted]
Last Name	Galvez
First Name	Gonzalo
M.I.	
Sex	M
Race	H
Rank	B1
Unit Assignment	S.E.B.
Work Assignment (Unit #, Module, etc.)	241J
ShiftTime (*circle only one*)	[ ] EM [x] PM [ ] Day
ShiftType (*circle only one*)	[x] Regular [ ] Overtime [ ] Off Duty
Intoxication/Drug Usage?	[ ]
Substance Used	
Hospital Admission?	[ ]
Hospital Name	
Coroner Case?	[ ]
Coroner Case #	
Interviewed?	[ ]
Hrs of sleep prior to shooting	4+
Duty Time (hrs)	called out
Clothing (*circle only one*)	[ ] Plain Clothes no Vest [x] Raid Jacket w/ Vest [ ] Plain Clothes w/ Vest [ ] Uniform no Vest [ ] Raid Jacket no Vest [ ] Uniform w/ Vest
Other Factors	
Age	[redacted]
Height	6"0
Weight	190
Range Qualification Date	[redacted]
PPC Qualification Date	[redacted]
Laser Training Date	[redacted]
Certified with Weapon Used?	[redacted]
Patrol Certification?	[redacted]
Certification Unit	[redacted]
Prior Shootings?	[redacted]
Number of Prior Shootings	[redacted]
Directed Force	[redacted]
Weapons Fired Brand	Beretta
Caliber	9MM
# Shots	6
Weapons Fired Brand (2)	
Caliber (2)	
# Shots (2)	
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	[redacted]
Field Training Officer Emp #	[redacted]
Last Name	[redacted]
First Name	[redacted]
M.I.	[redacted]

See Other Side

Officer Involved Shooting
Involved Employee Information

URN: 015-00063-3199-013

Involved Employee

E 4

Employee # [redacted]	Last Name: Ahmad	First Name: Kamal	M.I.: M.
Sex: M Race: O	Rank: Sergeant	Unit Assignment: SEB	Work Assignment (Unit #, Module, etc.): Black Team Leader
ShiftTime (*circle only one*): ☐ EM ☑ PM ☐ Day	ShiftType (*circle only one*): ☑ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: 5-6	Duty Time (hrs): called out	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☑ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest	Other Factors:
Age: [redacted] Height: 5'09	Weight: 190		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☑ Number of Prior Shootings: 2 Directed Force: [redacted]
Weapons Fired Brand: Colt	Caliber: .223	# Shots: 3	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank:	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): ☐ EM ☐ PM ☐ Day	ShiftType (*circle only one*): ☐ Regular ☐ Overtime ☐ Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): ☐ Plain Clothes no Vest ☐ Raid Jacket w/ Vest ☐ Plain Clothes w/ Vest ☐ Uniform no Vest ☐ Raid Jacket no Vest ☐ Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings: Directed Force: ☐
Weapons Fired Brand:	Caliber:	# Shots:	Weapons Fired Brand: Caliber: # Shots:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting
Suspect Information

URN: 015-00063-3199-013

Suspect Information

S 1

Last Name: Tapia		First Name: Eddie	M.I.
AKA Last Name: Tapia Jr.		First Name: Eddie	M.I.: R.
Sex: M Race: H	Street Addre[redacted]	City [redacted]	[redacted] Zi[redacted]
Work Phone: N/A	Home [redacted]	Social Sec[redacted]	Driver's Licens[redacted]
Age: 41 D.O.B. 06-24-74	Height: 508 Weight: 187	FBI # [redacted]	CII # [redacted]
Booking #: Not booked	Primary Charge: 245(A)(2)PC Ass. w/ Dead. Weap. on P/O	Secondary Charge: 215 PC Carjacking	
Coroner Case? ☑	Coroner Case #: 2015-06343	Intoxication/Drug Usage? ☑	Substance Used: Fentanyl, Meth&Amphetamine
Armed? ☑	Apprehended? ☑	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make: N/A Model: Year:	Parole: [redacted]	Probation [redacted]	Prior Felony Conviction [redacted]

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model: Year:	Parole:	Probation:	Prior Felony Conviction:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model: Year:	Parole:	Probation:	Prior Felony Conviction:

S

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make Model: Year:	Parole:	Probation:	Prior Felony Conviction:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip [redacted]		Home Ph
Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip [redacted]	Work Ph [redacted]	Home Ph
Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip [redacted]	Work Ph [redacted]	Home Ph
Last Name [redacted]	First Name [redacted]		M.I. [redacted]
Street Address [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph
Last Name	First Name		M.I.
Street Address	Zip Code	Work Ph	Home Ph

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT:	**On-Duty Hit Shooting, Suspect Deceased**
IAB FILE NUMBER:	**SH2386375**
URN#:	**015-00063-3199-013**
DATE/TIME:	**September 10, 2015 / 2052 Hours**
LOCATION:	**Chris and Pitts BBQ Restaurant** **9243 Lakewood Boulevard, Downey**

SYNOPSIS

On September 10, 2015, Internal Affairs Bureau (IAB) investigators Sergeants John Adams, Jonathan Hoyt, and Lieutenant Slade Carrizosa, responded to Downey regarding an on-duty deputy-involved hit-shooting. IAB Sergeant Benjamin Grubb was assigned the administrative review of the incident on May 18, 2020.

Lieutenant Carrizosa confirmed the Incident Commander, Lieutenant Bruce Chase, took reasonable steps to ensure the involved parties and witnesses did not discuss the incident among themselves or with uninvolved persons prior to being interviewed by the assigned investigators. Lieutenant Carrizosa also checked with Lieutenant Chase to ensure the involved and witness personnel did not collectively consult with their attorney or representative. In addition, Lieutenant Carrizosa confirmed Lieutenant Chase had the involved and witness personnel gather in the company of a supervisor, until they provided their statements to the assigned investigators.

The shooting incident was investigated by the Los Angeles County Sheriff's Department (LASD) Homicide Bureau. The results of their investigation were documented in the Homicide Book, under URN 015-00063-3199-013 **[EXHIBIT A]**.

DISTRICT ATTORNEY'S LETTER OF OPINION

The incident was reviewed by the Los Angeles County District Attorney's Office, Justice System Integrity Division (JSID). In their letter of opinion **[EXHIBIT B]**, dated May 14, 2020, Deputy District Attorney Shannon Presby concluded

Sergeant Kamal Ahmad and Deputies Darell Edwards, Gonzalo Galvez and Daniel Leon acted in lawful self-defense, and defense of others when they used deadly force against Suspect Eddie Tapia. JSID also found the involved employees used lawful force in apprehending a fleeing felon and closed their file, with no further action to be taken.

SUMMARY

On September 10, 2015, at approximately 6:15 PM, (LASD) East Los Angeles Station deputies completed a stolen vehicle report on a 1998 white Honda Civic, East Los Angeles Station URN 915-12891-0246-091 **[EXHIBIT A, pages 36-41].** The vehicle was reported stolen from [redacted] in Commerce.

At approximately 6:32 PM, via the Sheriff's Communication Center (SCC) radio frequency, LASD Aero Bureau personnel broadcasted they located and observed the above stolen vehicle **[EXHIBIT C, Radio Traffic - Dispatch 3, audio file #1 audio mark 00:13]**. The suspect vehicle was located with the utilization of the "LoJack" vehicle tracking system.

IAB Note: **The LoJack Stolen Vehicle Recovery System (LoJack SVR), is a stolen vehicle recovery system that is integrated with law enforcement, enabling vehicles and equipment to be tracked and recovered by police. The system uses a hidden mounted transceiver and a tracking computer installed in police cars and aircraft, operating on a dedicated tracking frequency.**

The suspect (later identified as Suspect Eddie Tapia) drove the vehicle in the area of Paramount Boulevard and Telegraph Road in Downey.

Pico Rivera Station personnel responded to the area and unsuccessfully attempted to locate the vehicle. The Pico Rivera Station desk directed Aero Bureau personnel to continue in surveillance mode **[EXHIBIT C, Radio Traffic - Dispatch 3, audio file # 1, audio mark 07:05].**

IAB Note: **Surveillance Mode is the authorized aerial surveillance of a suspect vehicle by an Aero Bureau unit after ground units have ceased their vehicle pursuit operation. Surveillance Mode is a separate tactical operation from the preceding ground pursuit and is not considered a continuation of the pursuit.**

The Aero Bureau unit followed the vehicle into the city of Downey and broadcasted the suspect's location via SCC. The broadcast was heard by Downey Police Department (DPD) personnel.

DPD Officers [redacted] and [redacted] located the stolen vehicle and engaged in a short vehicle pursuit of the suspect. The DPD officers documented their activity in a report, DPD case #15062964 **[EXHIBIT A, page 43-46].** DPD cancelled the pursuit due to the suspect's disregard for public safety and imminent threat to others.

A short time later, at approximately 6:52 PM, several officers from the Whittier Police Department (WPD) located the suspect vehicle in the city of Whittier and engaged in a brief vehicle pursuit of the suspect. The WPD officers documented their activity in a report, WPD case #2015-00007286 **[EXHIBIT A, page 47-52].**

WPD officers discontinued the pursuit in the interest of public safety, due to the suspect's high speed and erratic driving. The suspect vehicle became disabled after it sustained tire damage. The suspect abandoned the stolen white Honda Civic at Whittier Boulevard and Broadway Avenue in Whittier, and the vehicle was recovered by WPD **[EXHIBIT A, pages 47-48].** When the suspect ran from the vehicle, Aero Bureau personnel described him as a male, White, in a blue t-shirt and black shorts **[EXHIBIT C, Radio Traffic - CHP, audio file #3 audio mark 14:44].**

The suspect ran into the neighborhood near Broadway Avenue and See Drive in Whittier. Aero Bureau personnel broadcasted the suspect carjacked a vehicle **[EXHIBIT C, Radio Traffic - CHP, audio file #3, audio mark 15:24].** Pico Rivera Station Deputy Miriam Lopez, #[redacted] contacted the carjacking victim, [redacted] and completed a carjacking report. The report indicated the vehicle was a 1998 beige Toyota Camry, Pico Rivera Station URN 915-07085-1575-048 **[EXHIBIT A, pages 57-63].**

A short time later, Montebello Police Department (MPD) engaged in a brief vehicle pursuit of the suspect in the city of Montebello. The MPD pursuit of the suspect vehicle was terminated, and MPD officers documented their involvement in a report, MPD case #2015-00005770 **[EXHIBIT A, pages 81-82].**

A California Highway Patrol (CHP) unit located the suspect on the 710 freeway and initiated another vehicle pursuit. The suspect exited the 710 freeway at the Ramona Boulevard exit, and drove into the Monterey Park area.

East Los Angeles Station unit 22; Deputies Andrew Hernandez, #[redacted] and Manan Butt, #[redacted] heard the above described pursuit radio traffic. The deputies saw the suspect being pursued by a lone CHP officer near Corporate Center Drive and Davidson Drive in Monterey Park. They determined it was dangerous for the CHP officer to pursue an armed carjacking suspect alone. The deputies joined the vehicle pursuit of the suspect.

The deputies drove behind the primary CHP officer, as Aero Bureau personnel described the pursuit **[EXHIBIT C, Radio Traffic - Dispatch 3, audio file #2,**

audio mark 22:32]. The CHP pursuit, with deputies in the secondary position, traveled southbound on Corporate Center Drive, to eastbound Floral Drive in unincorporated East Los Angeles. At Floral Drive near North Humphries Avenue in East Los Angeles, the deputies' vehicle had a brake malfunction and they discontinued their pursuit. Simultaneously as the deputies terminated their own involvement in the pursuit, other CHP officers took their position behind the lone CHP officer. The deputies' portion of the pursuit traveled 0.7 miles.

The deputies documented their involvement in a supplemental report, East Los Angeles Station URN 915-07085-1575-048 **[EXHIBIT A, pages 64-66].** The deputies' pursuit was reviewed and documented in a Vehicle Pursuit Evaluation and Vehicle Pursuit Summary **[Miscellaneous Documents].**

CHP continued the pursuit of the suspect on the 710 freeway. The suspect exited the freeway in Downey. The suspect traveled south on Lakewood Boulevard. CHP Officer [redacted] conducted a Pursuit Intervention Technique (PIT) maneuver on the suspect's vehicle, which was captured on dash cam video **[EXHIBIT D, Videos - Dash Cam Video, Officer [redacted] video mark 10:18].**

IAB Note: **A Pursuit Intervention Technique (PIT) is a low-speed maneuver designed to cause the suspect vehicle to spin out and terminate the pursuit.**

As a result of the PIT maneuver, the suspect's vehicle collided into another vehicle and came to a stop on the west curb line of the 9200 block of Lakewood Boulevard in Downey. Officer [redacted] and another CHP Officer, [redacted] exited their vehicles and ordered the suspect to exit his vehicle.

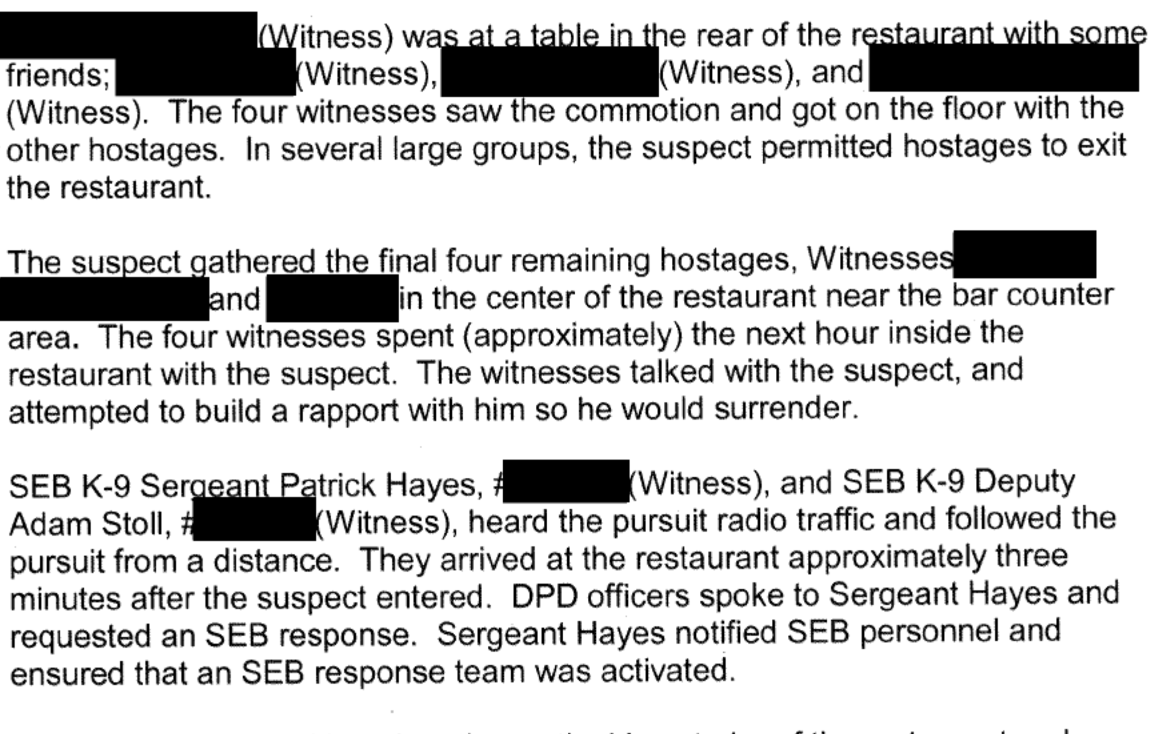
The suspect exited the vehicle with a handgun. He pointed it into the air and discharged a single shot, which was captured on Officer [redacted] dash cam video **[EXHIBIT D, Videos - Dash Cam Video, Officer [redacted] video mark 29:07].** The suspect ran south on Lakewood Boulevard into a nearby occupied "Chris and Pitts" restaurant at 9243 Lakewood Boulevard.

IAB Note: **The "Chris and Pitts" restaurant was located at 9243 Lakewood Boulevard in Downey. The large commercial restaurant was situated on the northwest corner of Lakewood Boulevard and Gallatin Road. The main entrance door faced east. There were alarmed emergency exits on the south and west, and two separate doors to the north side of the building. There were large windows on all sides of the building. A large kitchen, food storage area, and takeout counter ran along the entire length of the north side of the restaurant. A table counter with barstool seating was**

positioned in the center of the restaurant. Three dining rooms were positioned along the entire south and southwest side of the building, and were partitioned by walls.

LASD Pico Rivera Station deputies, CHP and DPD surrounded the location. The restaurant window shutters were initially open. Deputies and officers saw the suspect from the outside.

The restaurant interior surveillance cameras captured portions of the incident on video. The videos **[EXHIBIT D, Videos - Surveillance Videos]** displayed approximate time stamps on the upper left corner of the screen. The suspect entered the front entrance of the restaurant at approximately 7:34 PM. The restaurant was occupied with patrons and restaurant staff. The suspect walked around inside the restaurant with the handgun in his hand. He pointed it at the patrons and employees and waved it back and forth. The suspect told everyone he had a gun and ordered everyone to get on the floor. Several restaurant patrons exited the restaurant.



[redacted] (Witness) was at a table in the rear of the restaurant with some friends; [redacted] (Witness), [redacted] (Witness), and [redacted] (Witness). The four witnesses saw the commotion and got on the floor with the other hostages. In several large groups, the suspect permitted hostages to exit the restaurant.

The suspect gathered the final four remaining hostages, Witnesses [redacted] and [redacted] in the center of the restaurant near the bar counter area. The four witnesses spent (approximately) the next hour inside the restaurant with the suspect. The witnesses talked with the suspect, and attempted to build a rapport with him so he would surrender.

SEB K-9 Sergeant Patrick Hayes, #[redacted] (Witness), and SEB K-9 Deputy Adam Stoll, #[redacted] (Witness), heard the pursuit radio traffic and followed the pursuit from a distance. They arrived at the restaurant approximately three minutes after the suspect entered. DPD officers spoke to Sergeant Hayes and requested an SEB response. Sergeant Hayes notified SEB personnel and ensured that an SEB response team was activated.

Deputy Stoll was positioned on the north side exterior of the restaurant and looked into the kitchen window. The window glass was open, but covered with a screen. The window provided an interior view from the north, looking south into the restaurant. The view consisted of the kitchen in the foreground with a doorway into the dining room further to the south. The doorway was approximately 15 yards from the window. Deputy Stoll maintained intermittent visual contact of the suspect as he moved around inside, and relayed the suspect's activity via radio.

SEB personnel arrived, which included Sergeant Kamal Ahmad, #[redacted] (Involved employee), and Deputies Daniel Leon, #[redacted] (Involved employee), Darell Edwards, #[redacted] (Involved employee), Gonzalo Galvez, #[redacted] (Involved employee), Ricardo Munoz, #[redacted] (Witness), and Deputy Stephen Doucette, #[redacted] (Witness).

Sergeant Ahmad formed two crisis teams of SEB personnel; team 1 was positioned near the east facing front door of the restaurant. Team 1 consisted of a group of SEB personnel, which included Sergeant Ahmad and Deputies Edwards, Galvez and Munoz. SEB deputies spoke to several hostages who were released earlier and had exited the restaurant. They indicated the suspect was not going to come out and that he had resigned himself to a violent end.

Team 2 was positioned near a locked, north facing door of the restaurant. Both crisis teams' objectives were to safely rescue the hostages. Two teams were necessary in the event in case one of the teams was unable to gain entry, the other team would provide a contingency. The specific position of the two teams was chosen based on proximity. Both the east facing front door and north door were the closest access points to the bar area where the hostages and suspect were located.

Deputy Leon took Deputy Stoll's position at the north side window. Deputy Stoll remained near the same window and relayed the suspect's activity via radio. Deputy Leon monitored the movement and body language of the suspect and hostages. The suspect and hostages appeared to speak casually with each other.

The suspect took a cellphone from a hostage, who later exited the restaurant. CHP obtained that cellphone number and gave it to Sergeant Hayes. Sergeant Hayes received authorization by Sergeant Ahmad to contact the suspect. Sergeant Hayes tried to communicate with the suspect on the phone to act as a crisis negotiator. The Crisis Negotiation Team (CNT) was requested, but had not yet arrived. He called the number several times between 8:12 PM and 8:40 PM, which was reflected on the call log **[EXHIBIT A, pages 118-119]** from Sergeant Hayes' phone.

On a call made at 8:13 PM, a man picked up the phone. Sergeant Hayes spoke to the man, whom he believed was the suspect. Sergeant Hayes identified himself as a police officer, attempted to build a rapport with the suspect, and asked him what he needed. The suspect would not provide his name, and told Sergeant Hayes he was not going to come out **[Sergeant Hayes' Homicide interview, page 4]**. The suspect told Sergeant Hayes to call back in a minute and hung up the phone. Sergeant Hayes was unable to speak to the suspect again. He called the phone number several times over the next 27 minutes, but

the calls were either dropped or went to voicemail. Later phone call attempts by the CNT to make contact with the suspect met with negative results.

Witness [redacted] recorded a cellphone video **[EXHIBIT D - Videos, Cellphone Video Message]** of the suspect. The video was intended to be sent as a video message to the suspect's [redacted] In the video, the suspect stood in the doorway between the bar counter area and the kitchen. The suspect had a cup in his right hand, and his left hand held the gun inside his left pocket. The suspect spoke directly into the camera and apologized for his predicament. He also stated he did not want to go back to jail and did not want family to have to visit him in prison.

At approximately 8:49 PM, Witness [redacted] opened the front entrance door and made contact with the SEB team members positioned outside **[EXHIBIT D, Videos - Surveillance Videos, Camera 3, video mark 1:23:20]**. He asked police for a phone charger, at the direction of the suspect. The SEB team members could not fully understand Witness [redacted] due to the loud noise of the Aero Bureau helicopter overhead. The SEB members asked Witness [redacted] to exit the restaurant. Witness [redacted] feared his friends would be shot if he left them behind, so he declined and went back inside.

Deputy Leon remained at the north window and monitored the suspect's activity. In the moments before the shooting, the suspect's body language changed. The suspect was engaged in a conversation with one of the hostages and appeared agitated **[Deputy Leon's IAB transcript, page 13]**. He gestured the firearm in his left hand, with the muzzle pointed toward the hostages.

Deputy Leon feared if he did not fire at the suspect, the suspect was going to kill the hostages. Through the window screen, Deputy Leon discharged his rifle twice at the suspect. The suspect was struck by gunfire in the upper torso. The suspect ran further south into the restaurant, past the four witnesses in the bar counter area. The suspect went around the bar area and traveled several feet to the west where he fell on the ground **[EXHIBIT D, Videos - Surveillance Videos, Camera 3, video mark 1:26:07]**. A trail of blood followed the suspect's path on the floor. Before the suspect fell to the ground, he discharged at least one round, which went into his own left leg. The suspect discharged another round, in which the bullet casing became lodged in the firearm ejection port **[EXHIBIT A, page 142]**. The suspect held the handgun in his left hand and laid faced down on the floor. The four witnesses scattered and hid underneath tables and booths.

Deputy Stoll broadcasted that a deputy-involved shooting had occurred **[EXHIBIT C, Radio Traffic - Dispatch 13, audio file # 4, audio mark 1:15:33]**. From the north side of the building, an SEB crisis team 2 member broadcasted "crisis now," on the radio. This message indicated to both SEB teams that an immediate entry was required. Crisis team 2 prepared and detonated an

explosive breacher charge on the locked northern door entrance. The breacher charge was unsuccessful and crisis team 2 had a delayed entry. They did not witness the engagement with the suspect.

Crisis team 1 members heard the gunshots and the "crisis now" radio traffic and entered the restaurant. Deputies Edwards, Galvez and Munoz were first into the door. Deputy Munoz carried a ballistic shield. A line of SEB team members filed in behind them, which included Sergeant Ahmad and Deputy Doucette. Deputies heard additional gunfire from inside the restaurant just before they entered. They thought the suspect had either opened fire on the hostages, or fired at police.

IAB Note: The additional gunfire heard by SEB members as they entered the restaurant was consistent with evidence it came from the suspect's firearm. The autopsy report indicated the suspect had a self-inflicted gunshot wound to his leg, and a fired casing which matched the suspect's firearm was located near the bar counter area.

Upon entry, crisis team 1 members attempted to differentiate the hostages from the potential suspect and ordered everyone to get on the ground and show their hands. Deputies saw the trail of blood on the floor, next to Witness [redacted] and thought he had been shot. The team moved westward in the restaurant into an aisle, with booths on the left and the bar counter on the right.

IAB Note: SEB never had an accurate hostage count prior to entry. They had received information, earlier, the suspect gathered a group of hostages in a restroom. The team considered the possibility there could be more hostages in the west most dining room or in the restroom, which was on the west side of the restaurant.

Deputy Munoz saw the suspect on the restaurant floor west of the deputies, near the entryway into another dining room. Deputy Munoz shouted, "Suspect deep" to alert others to the suspect's location **[Deputy Munoz' Homicide transcript, page 4].** The suspect was faced down on the floor, with his arms bent under his body. He used his bent arms and pulled his body westward across the floor. The suspect held the handgun in his left hand, with his head pointed west and his feet pointed east in the direction of the deputies.

In the aisle, the deputies faced west toward the suspect. Deputy Galvez stood on the left side of the aisle, and Sergeant Ahmad stood to his immediate right. Deputy Edwards was positioned to the right of Sergeant Ahmad. The bar counter was between Deputy Edwards and Sergeant Ahmad. Deputies ordered the suspect to drop the gun and stay down on the floor.

The suspect lifted his left shoulder off the ground. He simultaneously began to turn his torso to the left (toward deputies) and began to straighten his left arm with the gun in his hand **[Deputy Galvez' IAB interview, pages 16-17].** Sergeant Ahmad and Deputies Galvez and Edwards each feared the suspect was going to complete the turn and shoot the deputies. They simultaneously discharged their firearms at the suspect between two and six times each.

The suspect was struck by gunfire and his movement stopped. He suffered 16 gunshot wounds to his arms, legs, torso and head. Deputies Edwards and Galvez moved closer to the suspect and held him at gunpoint while other SEB personnel searched the restaurant and evacuated the hostages. Deputy Galvez removed the firearm from the suspect's hand. No hostages were injured.

Approximately one or two minutes after the shooting, SEB Emergency Services Detail (ESD) Deputy Doucette approached the suspect, cut away his clothing and conducted a paramedic assessment. Deputy Doucette placed the suspect onto his back. The suspect was not breathing, and had no pulse. The suspect had multiple penetrating trauma wounds throughout his body. An EKG monitor was connected to the suspect, with a "flat line" result. Deputy Doucette determined the suspect deceased at 9:06 PM **[Deputy Doucette Homicide transcript, page 3].**

IAB Note: **Emergency Services Detail is a specialized team of deputies within the Special Enforcement Bureau of the Los Angeles County Sheriff's Department. They are tactically trained and certified paramedics and rescue divers. The team accompanies the special weapons teams on all operations.**

ADDITIONAL INFORMATION

The suspect's name was unknown to the involved personnel at the time of the incident. It was also unknown, at the time, the suspect was [redacted] **[Miscellaneous Documents].**

Also unknown to the involved personnel at the time of the incident, LASD Operation Safe Streets Bureau (OSS) detectives attempted to [redacted] The suspect, who drove a van, [redacted] The detectives [redacted] **[EXHIBIT A, pages 150-156].**

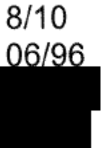
IAB Note: **OSS is a bureau within the Los Angeles County Sheriff's Department which provides gang suppression, intelligence and expert investigative support to the**

jurisdictions served by the Los Angeles County Sheriff's Department.

INVOLVED EMPLOYEES AND WORK HISTORY

Daniel Leon, #[redacted] Deputy Sheriff

Work History

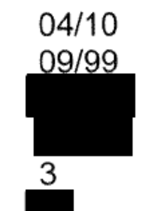
Special Enforcement Bureau:	8/10
Date of Employment:	06/96
Date Assigned to Patrol/[redacted]	 [redacted]
Date Completed Patrol Training:	
Prior Shooting incident(s):	3
Prior Founded Force Incidents:	[redacted]

Equipment Worn on Person

Helmet
Entry Vest with pouches containing two ammunition magazines
Radio
Handcuffs
Key ring with keys
First aid kit
Sig Sauer 226, 9mm handgun
Colt M4 Commando rifle

Darell Edwards, #[redacted] Deputy Sheriff

Work History

Special Enforcement Bureau:	04/10
Date of Employment:	09/99
Date Assigned to Patrol/[redacted]	 [redacted]
Date Completed Patrol Training:	
Prior Shooting incident(s):	3
Prior Founded Force Incidents:	[redacted]

Equipment Worn on Person

Helmet
Entry Vest with pouches containing two ammunition magazines
Radio
Handcuffs
Key ring with keys
First aid kit

Gun belt with two ammunition magazines and Beretta, 9mm handgun
Heckler and Koch model MP5 rifle

Gonzalo Galvez, #[redacted] Deputy Sheriff

Work History

Special Enforcement Bureau:	06/10
Date of Employment:	09/99
Date Assigned to Patrol[redacted]	[redacted]
Date Completed Patrol Training:	
Prior Shooting incident(s):	5
Prior Founded Force Incidents:	[redacted]

Equipment Worn on Person

Helmet
Entry Vest with pouches containing two ammunition magazines
Radio
Flashlight
First aid kit
Gun belt with two ammunition magazines and Beretta, 9mm handgun
Heckler and Koch model MP5, 9mm rifle

Kamal Ahmad, #[redacted] Sergeant

Work History

Special Enforcement Bureau:	11/10
Date of Employment:	02/95
Date Assigned to Patrol[redacted]	[redacted]
Date Completed Patrol Training:	
Prior Shooting incident(s):	2
Prior Founded Force Incidents:	[redacted]

Equipment Worn on Person

Helmet
Entry Vest with pouches containing two ammunition magazines
Radio
OC Spray
Handcuffs
First aid kit
Gun belt with two ammunition magazines and Beretta, 9mm handgun
Colt M4 rifle

SUSPECT INFORMATION

Eddie Tapia (deceased)
Male, Hispanic, DOB: June 21, 1974; 5'08" 187 pounds
[redacted]
FBI #[redacted] CII #[redacted] MAIN #[redacted] CDL #[redacted]

The Consolidated Criminal History Reporting System (CCHRS) revealed Suspect Tapia had [redacted] Suspect Tapia's Consolidated Criminal History Report is included in the Homicide Bureau casebook **[EXHIBIT A, pages 182-213].**

SUSPECT'S INJURIES

Suspect Tapia suffered 16 gunshot wounds. He suffered two gunshot wounds to each of the following locations; the face, the left rear forearm, and the left upper abdomen. He suffered one gunshot wound to each of the following locations; the right shoulder, the right rear thigh, the right front thigh, the right knee, the left chest, the left side of the back, the left rear thigh, the front left thigh, the left calf, and the left middle finger **[EXHIBIT A, pages 214-236]**. The autopsy report **[Exhibit A, pages 217 and 235]** indicated the gunshot wound to the front of the suspect's left thigh (gunshot wound #12) was consistent with being self-inflicted.

INVOLVED EMPLOYEE INJURIES

None

PHYSICAL EVIDENCE

All physical evidence located at the scene was identified and collected under the direction of Homicide Investigators **[EXHIBIT A, pages 140- 149]**.

INVESTIGATOR'S OBSERVATIONS

The scene was described in detail by Homicide Investigators; Sergeant Marcelo Quintero, #[redacted] Sergeant Robert Gray, #[redacted] and Detective Raymond Lugo, #[redacted] **[EXHIBIT A, pages 140- 149]**. The crime scene was photographed by Forensic Identification Specialist Michelle Acevedo, #[redacted] of the Scientific Services Bureau **[EXHIBIT A, pages 167- 169]**.

WEAPONS USED BY DEPUTY PERSONNEL

On September 11, 2015 Homicide Investigators Tim O'Quinn, #[redacted] and Judy Luera, #[redacted] conducted a round count of each of the involved deputies' firearms.

Deputy Leon's firearm was a Colt model M4 Commando rifle, serial #A[redacted] Deputy Leon carried his rifle with one round in the chamber and 27 rounds in the magazine. The rifle contained 26 rounds, one in the chamber, and 25 in the magazine, indicating Deputy Leon fired two rounds.

Deputy Edward's firearm was a Heckler and Koch model MP5 rifle, serial #[redacted] Deputy Edwards carried his rifle with one round in the chamber and 28 rounds in the magazine. The rifle contained 26 rounds, none in the chamber, and 26 in the magazine, indicating Deputy Edwards fired three rounds.

Deputy Galvez' firearm was a Beretta semi-automatic handgun, serial #K[redacted]Z. Deputy Galvez carried his handgun with one round in the chamber and 14 rounds in the magazine. The handgun contained 9 rounds, none in the chamber, and nine in the magazine, indicating Deputy Galvez fired six rounds.

Sergeant Ahmad's firearm was a Colt model M4 rifle, serial #A[redacted] Sergeant Ahmad carried his rifle with one round in the chamber and 27 rounds in the magazine. The rifle contained 25 rounds, one in the chamber, and 24 in the magazine, indicating Sergeant Ahmad fired three rounds.

The involved employees' weapons were examined by Senior Criminalist Miguel Munoz, #[redacted] of the Scientific Services Bureau/ Firearms Identification Section. He found all of the firearms to be functional **[EXHIBIT A, pages 172-174].**

WEAPON USED BY SUSPECT TAPIA

Suspect Tapia possessed a Sundance Industries .25 auto handgun, serial #[redacted] found with one "fired cartridge case" lodged in the chamber and loaded with one live .25 auto caliber round within the six round magazine **[EXHIBIT A, pages 170-171].**

PROPERTY DAMAGE

The damage at the restaurant was documented with photographs **[EXHIBIT A, Photos].** The damaged consisted of bullet damage to a kitchen counter and dining room floor. Breaching tool damage was also documented at the north entrance door.

CRIMINAL INVESTIGATION/CHARGES FILED

The criminal investigation into the shooting was handled by Homicide Bureau Detectives O'Quinn and Luera. No charges were filed.

LIGHTING AND WEATHER CONDITIONS

The incident began with a pursuit, which began during daylight hours and transitioned into the hours of darkness. The weather was clear and warm. The lighting inside the restaurant was bright, and the weather was not a factor.

RADIO TRAFFIC

Internal Affairs Bureau investigators reviewed SCC's radio traffic (Dispatch channels 3 and 13) and CHP's radio traffic frequency. The following are approximate chronologically summarized excerpts from the compiled radio traffic **[EXHIBIT D - Radio Traffic]:**

Radio Traffic - Dispatch 3

Audio File #	Actual Time (PM)	Audio Mark	Description
1	6:32	00:13	Air 21 requested patch for assistance from East Los Angeles and Pico Rivera Station units regarding an observation of a stolen white Honda Civic.
1	6:37	04:59	Suspect vehicle was involved in a traffic collision at Telegraph Road and Passons Boulevard, but continued traveling.
1	6:39	07:05	SCC advised ground units to cancel their activity, but for Aero to continue surveillance mode.
1	6:40	08:43	The suspect vehicle was in Downey, and Air 21 was coordinating with DPD.
2	7:16	21:48	Suspect vehicle exited 710 freeway at Ramona, and southbound on Corporate Center Drive.
2	7:17	22:32	Suspect vehicle traveled southbound Corporate Center Drive and Davidson.
2	7:17	22:38	East Los Angeles unit 22 advised they were in pursuit behind lone CHP unit.
2	7:17	22:52	Suspect vehicle arrived at Floral Drive.

2	7:18	23:35	East Los Angeles unit 22 advised they terminated their pursuit.
2	7:21	26:19	Sergeant Hayes advised he and other K9 units were following pursuit.

Radio Traffic - CHP

Audio File #	Actual Time (PM)	Audio Mark	Description
3	6:51	14:44	The suspect abandoned the initial stolen vehicle and described as a male White, blue shirt and black shorts.
3	6:52	15:24	The suspect carjacked a silver sedan from the victim on See Drive near Broadway.

Radio Traffic - Dispatch 13

Audio File #	Actual Time (PM)	Audio Mark	Description
4	7:36	05:15	CHP conducted a PIT maneuver and the suspect vehicle was stopped on Lakewood Boulevard near Gallatin Road.
4	7:37	05:45	Suspect ran southbound on Lakewood Boulevard into Chris and Pitts Restaurant.
4	7:38	07:09	Restaurant patrons ran outside, CHP surrounded building.
4	7:39	08:22	LASD K9 arrived at restaurant.
4	8:41	1:05:59	Suspect stood in restaurant with gun in left hand and red cup in right hand.
4	8:52	1:15:33	Shots fired. Deputies told to hold their containment positions.

VIDEO

Internal Affairs Bureau investigators reviewed surveillance, dash cam and cellular phone video footage. The videos were placed on a flash drive and entered into the investigation **[EXHIBIT D - Videos]**.

VIDEOS, DASH CAM VIDEO

Portions of this incident were captured by two CHP dash cams. The below are highlighted excerpts from the combined dash cam footage. The video file excerpts are listed below in approximate chronological order. They are identified by the CHP officer whose car was equipped with the indicated camera.

CHP Officer	Video Mark	Description
[redacted]	10:18	Officer [redacted] completed PIT maneuver to suspect's vehicle.
[redacted]	10:32	Officer [redacted] pointed firearm toward suspect vehicle (off camera screen right).
[redacted]	28:32	Suspect vehicle PIT maneuver. Officer [redacted] police vehicle positioned along passenger side of the suspect vehicle.
[redacted]	28:48	Officers ordered suspect to exit vehicle and get on the ground.
[redacted]	29:07	Suspect fired handgun into air and fled southbound on Lakewood Boulevard.
[redacted]	10:51	Suspect ran from vehicle, southbound on Lakewood Boulevard.

VIDEOS, SURVEILLANCE VIDEO

Portions of this incident were captured by surveillance cameras inside and outside of the location. The below video files are listed by camera number and approximate time of occurrence. Camera 3 video was recorded from an interior camera along the eastern wall of the restaurant near the main entrance. The camera was pointed southwest and depicted the front entrance on the left of the screen, and the dining area on the right of the screen. Camera 4 video was recorded from an interior camera near the takeout window in the northeastern corner of the restaurant. The camera was pointed downward and depicted an overhead view of the takeout window and cash register area. The following are highlighted excerpts from the compiled video footage:

Camera	Video Mark	Time	Description
3	04:25	7:34:07	Suspect entered restaurant.
4	04:28	7:34:13	Suspect pointed firearm at employee near register.
3	04:52	7:34:33	Patrons and employees get on the ground.
3	10:04	7:39:30	Group of hostages exited restaurant in large group through front door.
3	17:03	7:46:08	Additional group of hostages exited restaurant through front door.
3	20:33	7:49:28	Last remaining group of hostages (witnesses) appeared at stools near table counter.
3	1:18:47	8:45:04	Witness [redacted] filmed cellphone video message of suspect.
3	1:23:20	8:49:24	Witness [redacted] made contact with police near entrance.
3	1:26:07	8:52:04	Suspect ran west past hostages and fell to the ground. Hostages scattered and hid behind booths.
3	1:26:21	8:52:18	SEB team made entry through front door.
3	1:26:41	8:52:37	SEB team grouped in aisle between booths and barstools, approximate area of shooting.
3	1:27:51	8:53:43	Hostages escorted out of restaurant by SEB team members.

VIDEOS, CELLPHONE VIDEO MESSAGE

Witness [redacted] recorded a video of the suspect, who spoke directly into the camera. The video, which lasted approximately two minutes, was intended to be sent as a video message to the suspect's [redacted]

The following interviews were recorded and transcribed. For more information and precise wording, see the attached verbatim interview transcriptions. The following narrative contains summaries of each interview:

INVOLVED PERSONNEL

Deputy Daniel Leon

On September 11, 2015, Deputy Leon was interviewed by Homicide Bureau Detectives O' Quinn and Luera. Deputy Leon was interviewed on March 9, 2020, by IAB Sergeants Benjamin Grubb and Luan Dang. During the IAB interview, Deputy Leon was represented by Attorney Steve Welch from the law firm of Rains Lucia Stern St. Phalle & Silver.

On September 10, 2015, Deputy Leon was a "Gray Team" member with "5th man" duties assigned to the Special Enforcement Detail within SEB. Deputy Leon received a call-out and responded to the location in Downey regarding a hostage situation. Upon his arrival at the command post, he received a briefing on the situation, and a description of the suspect. He was told the suspect had committed two carjackings, shot at police, and was barricaded inside the restaurant with hostages. It was relayed to Deputy Leon that the restaurant customers stated the suspect was in a state of mind where "this would be it for him" and "this would be the way he was going out" **[Deputy Leon's Homicide transcripts page 7].**

SEB formed two crisis teams. Each team took different positions along the exterior of the restaurant. Team 1 was positioned on the southeast corner of the restaurant, near the front entrance doors. Deputy Leon was part of team 2, which was positioned along the north side of the restaurant. He was designated to look into a window on the north side of the building.

Deputy Leon stood on a crate and looked into the window. Deputy Stoll stood approximately three feet from Deputy Leon near the same window. His view from the window consisted of a kitchen in the foreground and the main dining room in the background. The suspect stood near a doorway between the kitchen and main dining room. The hostages moved around inside the restaurant and talked to the suspect, but Deputy Leon could not hear them because of the loud helicopter. The suspect and hostages initially appeared to speak casually to each other. Deputy Leon watched the suspect as the crisis teams moved into their respective positions. The suspect had a "silver" handgun with a black handle in his left hand.

In the moments before the shooting, the suspect's body language changed. He was engaged in a conversation with one of the hostages and appeared agitated **[Deputy Leon's IAB transcript, page 13].** He gestured the firearm in his left hand, with the muzzle pointed toward the hostages.

Deputy Leon feared if he did not fire at the suspect, the suspect was going to kill the hostages. Through the window screen, Deputy Leon discharged his rifle twice at the suspect. The suspect left his position and ran out of Deputy Leon's view, and Deputy Leon ceased firing. Deputy Leon attempted to use his radio to communicate shots were fired, but the radio frequency was busy. Deputy Stoll broadcasted shots were fired immediately after.

The breaching charge was detonated by crisis team 2. Deputy Leon heard additional gunshots come from the inside of the restaurant. Team 2 entered the north side door of the restaurant. Deputy Leon entered the restaurant a short time later, and saw the suspect being treated by ESD personnel. Deputy Leon exited the restaurant and waited to be interviewed by investigators.

During the IAB interview, Deputy Leon viewed surveillance video **[EXHIBIT D, Videos - Surveillance Videos, Camera 3]** which depicted a portion of the incident. He had no additional information to provide.

Deputy Darell Edwards

On September 11, 2015, Deputy Edwards was interviewed by Homicide Bureau Detectives O' Quinn and Luera. Deputy Edwards was interviewed on March 8, 2021, by IAB Sergeants Grubb and Dang. During the IAB interview, Deputy Edwards was represented by Attorney Steve Welch from the law firm of Rains Lucia Stern St. Phalle & Silver.

On September 10, 2015, Deputy Edwards was assigned to the Special Enforcement Detail within SEB. He received a message from the SEB desk, at approximately 8 PM, about a rollout to Downey, and received some basic information regarding a hostage situation created by a suspect who fired a shot before he entered a restaurant.

Deputy Edwards stood near the eastern exterior of the restaurant near a police sports utility vehicle. He and other team members gathered additional information to formulate a plan for addressing the situation. The team gathered breaching tools to use in case the entry doors were locked when they approached. They formed two crisis teams. Deputy Edwards and team 1 positioned themselves near the front entrance, team 2 positioned themselves along the north side of the restaurant.

Sergeant Hayes made telephonic contact with the suspect, who refused to surrender to police. The SEB team members determined the hostages were in danger and they needed to intervene.

Minutes before the shooting, a male Hispanic opened the door of the restaurant and stood in the entranceway. He asked deputies for a phone charger. From

behind the police SUV, the deputies asked the male to exit the restaurant and come to them. The male would not come out and went back inside.

Deputy Edwards heard two shots, and then the "crisis now" command via radio from crisis team 2. Seconds after the two shots, a third shot went off inside the restaurant as Deputy Edwards and team 1 prepared to enter the door. Deputy Edwards thought the third shot came from the suspect inside. Deputy Edwards' "mind set was that basically hostages were being shot and we had to go stop that" **[Deputy Edwards' IAB transcript, page 17].**

Deputy Edwards and crisis team 1 entered the restaurant. They ordered everyone they saw to get on the floor and the team spread out and moved toward the west of the restaurant. The team members did not know if there were other hostages further west inside the restaurant.

An SEB team member shouted "suspect deep." The suspect was on his hands and knees and crawled west away from the deputies with the gun in his left hand. The deputies moved west and approached the suspect from behind. Deputy Edwards walked down an aisle to the right of the bar counter. Deputies Galvez and Sergeant Ahmad walked down an aisle to the left of the bar counter, parallel to Deputy Edwards. From approximately 10-15 feet away, Deputy Edwards ordered the suspect to get on the floor.

The suspect did not comply. He began to rise from the ground with the gun in his left hand. He began to rotate his torso and left arm to his left, toward deputies. Deputy Edwards believed immediate deadly force was necessary. Deputy Edwards believed "I would be shot, my partner would be shot, or a hostage shot if I did not intervene to stop that threat **[Deputy Edwards' IAB transcript, page 23].** Deputy Edwards fired three times at the suspect. Additional deputies fired upon the suspect at the approximate same time as Deputy Edwards. The suspect dropped to the floor and still had the firearm in his left hand. Deputies moved closer to the suspect and removed the firearm from his hand. Additional deputies searched the restaurant and evacuated the hostages. ESD paramedics performed medical aid on the suspect, and Deputy Edwards exited the restaurant.

During the IAB interview, Deputy Edwards viewed surveillance video **[EXHIBIT D, Videos - Surveillance Videos, Camera 3]** which depicted a portion of the incident. He had no additional information to provide.

Deputy Gonzalo Galvez

On September 11, 2015, Deputy Galvez was interviewed by Homicide Bureau Detectives O' Quinn and Luera. Deputy Galvez was interviewed on March 9, 2021, by IAB Sergeants Grubb and Dang. During the IAB interview, Deputy

Galvez he was represented by Attorney Steve Welch from the law firm of Rains Lucia Stern St. Phalle & Silver.

On September 10, 2015, Deputy Galvez was assigned to the Special Enforcement Detail within SEB. He was called to respond to the incident in Downey. Upon arrival, Deputy Galvez was briefed on the situation. Deputy Galvez was told the suspect was still barricaded inside the restaurant and held hostages at gunpoint. He was told the suspect stated that "this was the way he was going to go out" **[Deputy Galvez' Homicide transcript, page 9].**

A tactical plan was formulated amongst SEB team members, who utilized two crisis teams. Team 2 took a position along the exterior wall of the north side of the restaurant. Team 1 took a position near the east side of the exterior of the location near the main entrance doors. Deputy Galvez joined team 1 and had the responsibility to breach the restaurant door if necessary.

Deputy Galvez was positioned near the front door with a pick and ram, when a hostage came to the door. The hostage stayed in the restaurant, but opened the door and spoke to the SEB team. The hostage stated the suspect needed a phone charger. The SEB team asked the hostage to exit the restaurant but the hostage said he could not. The hostage appeared distressed and scared, and looked back toward the interior of the restaurant as he spoke to the team. The hostage disengaged from the deputies, closed the door and went back inside the restaurant.

Deputy Galvez heard a gunshot come from the north side of the restaurant. He also heard radio communication from team 2 identifying a crisis, and they were making entry on the north side. Deputy Galvez and team 1 feared for the safety of the hostages and entered the restaurant. Upon entry, Deputy Galvez heard another gunshot, which he thought came from within the restaurant. Deputy Galvez thought the suspect was either firing at hostages or at police **[Deputy Galvez' IAB interview page 12].**

As he entered the main dining area, Deputy Galvez saw a trail of blood, and saw Witness [redacted] on the ground next to the blood trail. Deputy Galvez thought Witness [redacted] had been shot. He scanned the room to identify and locate the suspect, as hostages ran around the room and hid under tables. Deputy Galvez saw and identified the suspect when he saw the suspect's shorts and blue shirt. The suspect was on the floor further west inside the restaurant, with his head pointed west and his feet pointed east in the direction of the deputies. The suspect crawled west, with his chest to the floor and his arms bent under his body, in a low crawl. He held a chrome handgun in his left hand and pulled his body westward across the floor. The suspect continued moving west toward a rear dining area. Deputy Galvez feared there were additional hostages in the rear dining area who would be shot.

In the aisle, the deputies faced west toward the suspect. Deputy Galvez stood on the left side of the aisle. Sergeant Ahmad was to Deputy Galvez' immediate right, and Deputy Edwards was to the right of Sergeant Ahmad. The suspect lifted his left shoulder off the ground. He simultaneously began to turn his torso to the left (toward deputies) and began to straighten his left arm with the gun in his hand **[Deputy Galvez' IAB interview, pages 16-17].**

Deputy Galvez thought the suspect was going to either shoot at hostages in the rear dining room, or turn and fire at deputies. Deputy Galvez "had no other choice but to take action and use lethal force" **[Deputy Galvez' Homicide transcript, page 13].** From approximately "20 feet" away, Deputy Galvez fired five or six rounds consecutively at the suspect.

Deputy Edwards and Sergeant Ahmad also fired at the suspect. The suspect's arm motion stopped. Deputy Galvez approached the motionless suspect. Deputy Galvez stood ten feet from the suspect and held him at gunpoint. The SEB team behind Deputy Galvez evacuated hostages from the restaurant. Deputy Galvez removed the gun from the suspect's left hand and placed it on the floor out of reach of the suspect. ESD paramedics entered the restaurant and rendered aid to the suspect. Deputy Galvez then exited the restaurant and waited to be interviewed by investigators.

During the IAB interview, Deputy Galvez viewed surveillance video **[EXHIBIT D, Videos - Surveillance Videos, Camera 3]** which depicted a portion of the incident. He had no additional information to provide.

Sergeant Kamal Ahmad

On September 11, 2015, Sergeant Ahmad was interviewed by Homicide Bureau Detectives O' Quinn and Luera. Sergeant Ahmad was interviewed on March 9, 2021, by IAB Sergeants Grubb and Dang. During the IAB interview, he elected not to have representation present.

On September 10, 2015, Sergeant Ahmad was assigned as the Black Team Sergeant of the Special Enforcement Detail within SEB. Sergeant Ahmad was at the SEB headquarters and saw live television video of the pursuit, which involved the suspect. He monitored radio traffic which indicated the suspect fired a weapon, ran into the restaurant in Downey and held hostages. SEB was requested to respond.

During a hostage situation, there were a number of tasks to accomplish which utilized many different teams within SEB. A hostage situation was an SEB "all-callout" in order to have available manpower to properly handle the incident. The CNT was also notified to respond.

Sergeant Ahmad responded to restaurant and gathered information from officers, deputies and escaped hostages on scene. The suspect pointed his firearm at hostages and told them he was not going to jail. Sergeant Ahmad was extremely concerned for the safety of the hostages based on the suspect's actions. Additional SEB deputies responded to the location and joined Sergeant Ahmad near the front entrance behind a police SUV.

Sergeant Ahmad formed two crisis teams of SEB personnel. Team 1 was positioned near the east facing front door of the restaurant. Team 2 was positioned near a north facing door of the restaurant. The crisis team objectives were to safely rescue the hostages. Two teams were necessary in the event one of the teams was unable to gain entry, the other team would provide a contingency. The specific position of the two teams was chosen based on proximity. Both the east facing front door and north door were the closest access points to the main dining room and kitchen area where the hostages and suspect were located.

Sergeant Hayes attempted to communicate with the suspect on the phone and acted as a crisis negotiator. The CNT was requested, but had not yet arrived. The suspect hung up on Sergeant Hayes, and no one picked up the phone when Sergeant Hayes called other phones in the restaurant.

The team goal was to keep things peaceful with the suspect until more resources arrived, but to be ready for a crisis if it occurred.

Two gunshots were heard, and a crisis was called. Crisis team 2 attempted a breaching explosive on the north door, which failed and they were unable to enter the restaurant. Sergeant Ahmad and crisis team 1 entered the restaurant. As Sergeant Ahmad entered, he heard additional gunshots from inside the restaurant, which he clarified sounded like they came from a handgun. Sergeant Ahmad thought the suspect fired at the hostages.

Sergeant Ahmad walked west in the restaurant and saw hostages on the floor, and some standing to his left. The shield deputy and Deputy Galvez walked with Sergeant Ahmad down a walkway between the bar area and other seating. The shield deputy said "The suspect is deep," which drew deputies' attention to the west. The suspect was chest down on the floor and crawled west toward a rear seating area. Sergeant Ahmad did not know if there were hostages in that area.

The suspect faced away from deputies, with his head pointed west. His arms were above his shoulders, and he had a handgun in his left hand. Deputies ordered the suspect to drop the gun **[Sergeant Ahmad's IAB transcript, page 32].**

Based on his earlier observations, Sergeant Ahmad feared the suspect was going to shoot more hostages in the rear of the restaurant. The suspect began to

lift his left shoulder from the floor. He turned his torso back to his left, as if he intended to turn his body toward deputies with the firearm in his left hand. Sergeant Ahmad feared the suspect was going to complete the motion and shoot deputies. Sergeant Ahmad fired three consecutive times at the suspect. Simultaneous to Sergeant Ahmad, Deputies Galvez (to Sergeant Ahmad's left) and Edwards (to Sergeant Ahmad's right) fired at the suspect.

The suspect was struck by gunfire and stopped the turning motion. The suspect's chest moved, which indicated he was still breathing. The suspect was held at gunpoint as additional deputies searched and secured the location. The firearm was separated from the suspect, and he was rendered medical aid by ESD deputies.

During the IAB interview, Sergeant Ahmad viewed surveillance video **[EXHIBIT D, Videos - Surveillance Videos, Camera 3]** which depicted a portion of the incident. He had no additional information to provide.

EMPLOYEE WITNESSES

Deputy Ricardo Munoz

On September 11, 2015, Deputy Munoz was interviewed by Homicide Bureau Detectives Daniel Morris, #[redacted] and Richard Tomlin, #[redacted] Deputy Munoz was interviewed on March 8, 2021, by IAB Sergeants Grubb and Dang. During the IAB interview, Deputy Munoz was represented by Attorney Steve Welch from the law firm of Rains Lucia Stern St. Phalle & Silver.

On September 10, 2015, Deputy Munoz was off-duty at home when he saw television media coverage of a pursuit in which the suspect fired a gun and ran into a "Chris and Pitts" restaurant. Deputy Munoz was contacted by SEB personnel to respond to the incident.

Upon arrival, he and other police personnel saw the suspect inside the restaurant through the east facing window. After approximately 15 minutes, the suspect directed one of the hostages to close shutters and they could no longer see the suspect.

Deputy Munoz was assigned as the ballistic shield deputy. A male Hispanic came to the door, who closely matched the description of the suspect. Deputy Munoz was unsure at that moment if it was the suspect or a hostage. The male Hispanic had a brief conversation with other SEB deputies and then went back inside.

Approximately 15-20 minutes after the man stepped back inside, a rifle shot was heard, which came from the north side of the restaurant. The shot was from the area where Deputy Munoz knew an SEB long rifle was positioned.

Crisis team 2 stated "crisis now" on the radio. Deputies Edwards and Galvez entered the door, followed by Deputy Munoz. Deputy Munoz carried the ballistic shield in front of him. Upon entry, deputies gave verbal commands to everyone in the restaurant, "Show me your hands. Get on the ground!" **[Deputy Munoz' Homicide interview, page 11].**

Deputies moved west in the restaurant and ordered hostages to get down on the floor. Through the window in the ballistic shield, Deputy Munoz saw the suspect on the floor approximately 30 feet away. He could only see the suspect from the chest down, because his view was obstructed by restaurant booth furniture. The suspect was on the floor and crawled away with a trail of blood behind him. He noticed other SEB members were focused on the hostages and wanted to alert them to the suspect's location. Deputy Munoz shouted "Suspect deep" **[Deputy Munoz' Homicide interview, page 4].**

As they walked down the aisle between the booths and the bar counter, Deputies Galvez and Edwards were slightly in front and to the right of Deputy Munoz. Deputies ordered the suspect to get on the floor. The suspect was face down, but then rolled his left shoulder off of the ground, and Deputy Munoz could now see a portion of the suspect's chest. Deputies Edwards and Galvez each fired approximately three to four shots at the suspect simultaneously. Deputy Munoz did not see Sergeant Ahmad fire.

The suspect ceased his movement and was positioned with his right shoulder on the ground, with his torso faced southeast. The firearm was in the suspect's left hand or near his left hand. Deputy Munoz moved past the suspect and held the shield while additional deputies searched the restaurant.

Deputies held the suspect at gunpoint while additional deputies searched and secured the location and escorted the hostages out.

Within approximately 45 seconds after the hostages were escorted out, ESD personnel rendered medical aid to the suspect.

Sergeant Patrick Hayes

IAB Note: Sergeant Hayes retired from the LASD in [redacted] 

On September 11, 2015, Sergeant Hayes was interviewed by Homicide Bureau Detectives Morris and Tomlin.

On September 10, 2015, Sergeant Hayes was assigned to SEB as a K-9 handler. He was on duty when he heard radio traffic from Aero Bureau personnel which described the carjacking suspect being pursued by CHP officers. Sergeant Hayes followed the pursuit in his police vehicle at a distance. When the vehicle pursuit traveled into East Los Angeles, Sergeant Hayes saw

CHP units in the pursuit line. Sergeant Hayes was far behind the suspect vehicle, and was never involved in the pursuit. Another SEB K-9 handler, Deputy Stoll (Witness), also followed the pursuit at a distance.

Sergeant Hayes and Deputy Stoll arrived at the Chris and Pitt's restaurant approximately three minutes after the suspect entered the restaurant. LASD Pico Rivera Station deputies, CHP officers and DPD officers surrounded the location. Deputy Stoll took a position along the north side of the exterior of the restaurant, and looked through a window. Deputy Stoll told Sergeant Hayes he saw the armed suspect in the front counter area.

DPD Sergeant [redacted] spoke to Sergeant Hayes and requested the assistance of an LASD special weapons team to handle the incident. Sergeant Hayes called the SEB Duty Commander, Lieutenant Bruce Chase. Lieutenant Chase contacted the SEB desk and activated the SEB response to the location.

Sergeant Hayes positioned officers and deputies into two groups; one group formed a crisis team near the east side front entrance, and another formed a crisis team near a north side entrance. Sergeant Hayes ensured other officers closed vehicle traffic to the adjacent streets. Sergeant Ahmad arrived and coordinated an arrest team and crisis entry team.

The suspect took a cellphone from a hostage that later exited the restaurant. CHP obtained that cellphone number and gave it to Sergeant Hayes. Sergeant Hayes received authorization by Sergeant Ahmad to contact the suspect. He called the number several times between 8:12 PM and 8:47 PM, which was listed on a call log **[EXHIBIT A, pages 118-119]** on Sergeant Hayes' phone. On a call at 8:13 PM, a man picked up the phone and Sergeant Hayes spoke to the man, whom Sergeant Hayes believed was the suspect. Sergeant Hayes identified himself as a Sheriff's Sergeant and attempted to build a rapport with the suspect in order to get him to surrender. The suspect would not provide a name. Sergeant Hayes asked the man to exit the restaurant and "Come out and talk to us," to which the suspect replied, "No, I'm not going to come out, because I don't trust you" **[Sergeant Hayes' Homicide interview, page 4].** The suspect told Sergeant Hayes to call back in a minute and hung up the phone. Sergeant Hayes was unable to speak to the suspect again. He called the phone number several times over the next 35 minutes, but the calls were either dropped or went to voicemail.

Sergeant Hayes received information from CHP personnel that a hostage inside ([redacted]) was texting a friend, who was outside of the restaurant near the crime scene. Sergeant Hayes obtained the number and exchanged several text messages with [redacted] between 8:46 PM and 8:55PM. The text exchange was documented in a text log **[EXHIBIT A, pages 113-117].**

Through text, [redacted] told Sergeant Hayes that he was safe, but that he could not come out. [redacted] also told Sergeant Hayes he and four other hostages were by the front counter, and the suspect was with them near the counter. At approximately 8:53 PM, Sergeant Hayes saw a man in a plaid shirt open the front door of the restaurant, ask about a phone charger and then go back inside. Sergeant Hayes texted [redacted] and asked if the man who came to the door was the suspect. [redacted] texted back that it was not. [redacted] also confirmed to Sergeant Hayes the suspect's phone (which Sergeant Hayes continuously called) ran out of power.

Sergeant Hayes was near the front door of the restaurant, positioned at the rear of the line of personnel of crisis team 1. He heard two loud gunshots followed by "Crisis entry team, go" **[Sergeant Hayes' Homicide interview, page 6].** The team in front of Sergeant Hayes entered the restaurant, and he followed them inside. Once inside, deputies yelled for people to get down and to show their hands. Approximately five gunshots went off inside the restaurant, two to three seconds after the entry team came inside. Sergeant Hayes never saw the shooting. The entry team moved west through a corridor between the booths to the left and bar area to the right. Sergeant Hayes saw the hostage in the plaid shirt on the floor near the barstools and told him to not move. The suspect was treated by ESD deputies, and the hostages were escorted out of the building.

Deputy Adam Stoll

On September 11, 2015, Deputy Stoll was interviewed by Homicide Bureau Detectives Morris and Tomlin. Deputy Stoll was interviewed on February 24, 2021, by IAB Sergeant Grubb.

IAB Note: Deputy Stoll was promoted to [redacted]

On September 10, 2015, Deputy Stoll was assigned to SEB as a K-9 handler. He was on duty when he heard radio traffic from Aero Bureau personnel which described the carjacking suspect being pursued by CHP officers. Deputy Stoll followed the pursuit in his police vehicle at a distance, but never caught up to be in a position to join the pursuit. Aero Bureau personnel broadcasted the suspect fled the vehicle, fired a round and entered a business.

Deputy Stoll arrived minutes after the suspect entered the restaurant. He took a position on the exterior of the northeast side of the restaurant. Through a north facing window, Deputy Stoll saw the suspect inside an entryway that led into the kitchen.

Deputy Stoll determined the identity of the suspect based on the description given on radio traffic (male Hispanic, bald, mustache and blue shirt). The suspect ordered hostages around while armed with a gun in his left hand and a

cup in his right hand. Deputy Stoll pointed his firearm in the direction of the suspect. Deputy Stoll maintained his intermittent visual contact with the suspect in that position for the next 35-40 minutes. Via radio, he updated pertinent movement information to the officers and deputies who surrounded the restaurant.

SEB Deputy Leon arrived and replaced Deputy Stoll's position at the window. Deputy Leon used the scope on his M4 rifle and looked into the window. To allow Deputy Leon to focus on his responsibilities, Deputy Stoll stood near Deputy Leon and continued radio communication duties.

Deputy Stoll heard Deputy Leon discharge his firearm, and Deputy Stoll broadcasted that shots were fired over the radio. Deputy Stoll had looked away from the window when the shots were fired, and did not see the suspect's movements just before the shooting. Deputy Stoll said, "When the shooting occurred I was in the middle of talking to somebody" **[Deputy Stoll IAB transcript, page 14].** The crisis team on the north side of the restaurant, near Deputies Stoll and Leon, prepared an explosive door breaching charge. Due to the proximity danger of the explosive charge, Deputy Stoll stepped away from the window and the explosive charge was detonated.

Approximately 15 seconds after the breaching explosion, Deputy Stoll looked into the window again and did not see the suspect. Through the window, he saw SEB deputies walk into the dining room, followed by four or five gunshots. The gunshots were all together in one grouping.

After the shooting, Deputy Stoll entered the north side door and searched the kitchen. He entered the dining room where ESD personnel attended to the suspect on the floor of the restaurant.

Deputy Stephan Doucette

On September 11, 2015, Deputy Doucette was interviewed by Homicide Bureau Detectives Morris and Tomlin.

On September 10, 2015, Deputy Doucette was assigned to SEB as part of the ESD. He responded to the incident in Downey in the "Medcat" armored ambulance vehicle.

Deputy Doucette was positioned with crisis team 1 outside the restaurant. He heard a gunshot from outside, and crisis team 1 entered the restaurant. Deputy Doucette entered the restaurant with team 1. There was approximately eight or nine deputies in front of him. Upon entry, several gunshots were heard, but Deputy Doucette did not witness the shooting nor did he witness anyone being shot. Additional SEB personnel searched and cleared the restaurant of hostages, and removed the firearm from the suspect.

Deputy Doucette was called forward by other SEB deputies to render medical aid to the suspect. Deputy Doucette approached the suspect, who was chest down on the floor with his hands underneath him. The suspect was not breathing, and his eyes were fixed open. The suspect had multiple "holes" throughout his body. Deputy Doucette placed the suspect on his back and conducted a medical assessment. A check of the suspect's carotid pulse indicated he had no pulse. The suspect was connected to an EKG monitor, which confirmed he "flat lined" **[Deputy Doucette's Homicide transcript, page 3].**

Deputy Doucette determined the suspect was deceased at 9:06 PM.

CALIFORNIA HIGHWAY PATROL WITNESS

Officer [redacted]

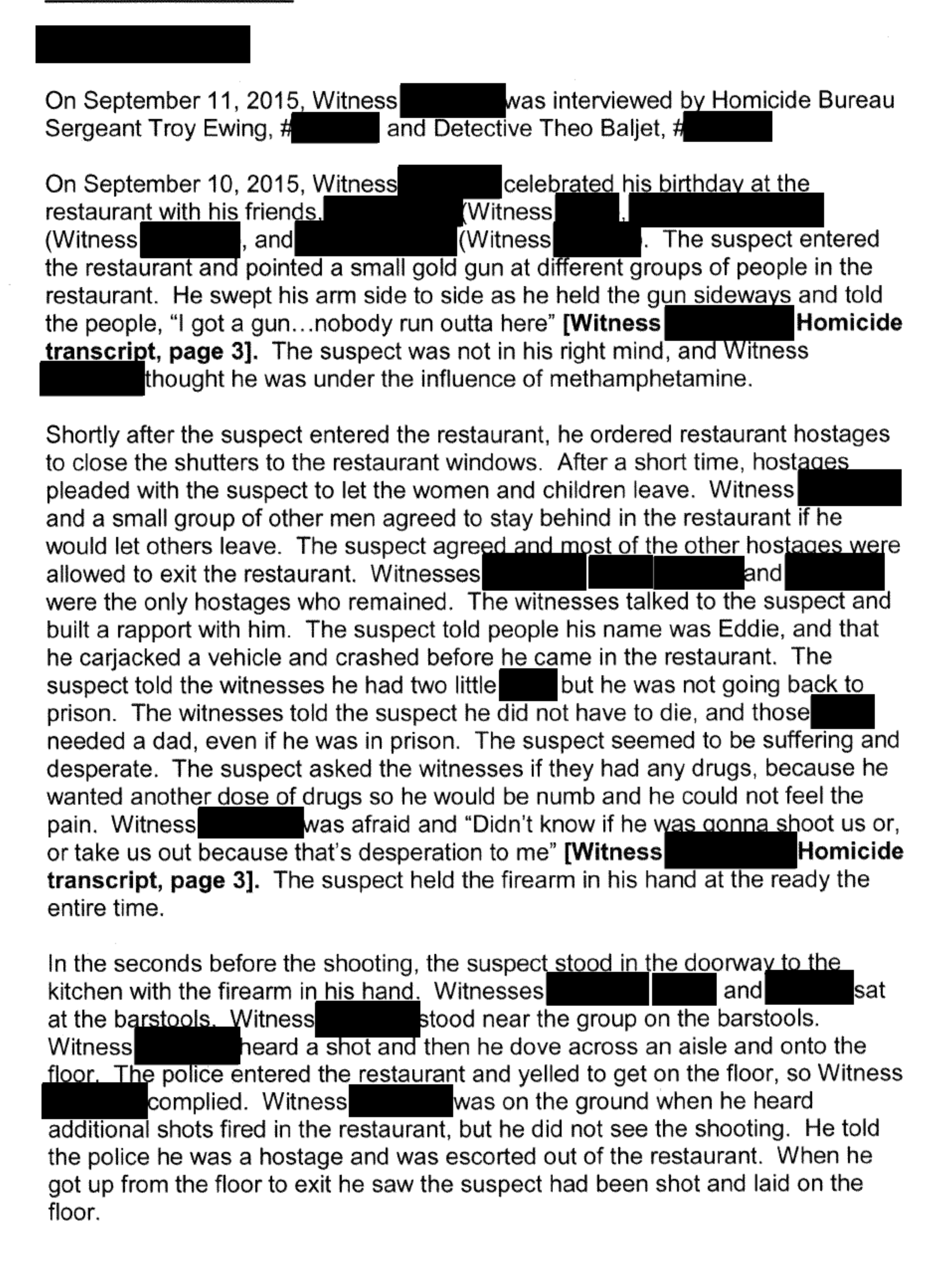
On September 11, 2015, Officer [redacted] was interviewed by Homicide Bureau Detectives Frederick Morse, #[redacted] and David Gunner, #[redacted]

On September 10, 2015, Officer [redacted] was assigned to the East Los Angeles CHP Station. He was on duty when he heard radio traffic indicating a suspect was being pursued and wanted for carjacking. Officer [redacted] drove his marked CHP vehicle and followed the route of the pursuit based on the description provided by the Aero Bureau unit. Officer [redacted] became the primary unit in the pursuit behind the suspect's vehicle on Lakewood Boulevard.

Due to the dangers posed by the suspect, Officer [redacted] was ordered by his supervisors to conduct a PIT maneuver. Officer [redacted] placed the front left end of his patrol vehicle against the right rear end of the suspect's vehicle. The suspect vehicle lost control and collided with a parked vehicle on Lakewood Boulevard.

Officer [redacted] and another CHP Officer, [redacted] ordered the suspect to exit the vehicle slowly and show his hands. Approximately a minute later, the suspect exited the vehicle with a firearm in his right hand. The suspect fired into the air and ran southbound on Lakewood Boulevard.

Officer [redacted] took cover and then followed the suspect into the Chris and Pitt's restaurant parking lot. Officer [redacted] and other CHP officers set up a containment around the restaurant. Officer [redacted] took a position on the east side of the building. Through the windows, he saw the suspect inside the restaurant. Restaurant patrons exited and told CHP officers there was a man inside with a gun. Officer [redacted] maintained his position until the arrival of assisting police agencies and LASD SWAT team relieved him.



CIVILIAN WITNESSES

[redacted]

On September 11, 2015, Witness [redacted] was interviewed by Homicide Bureau Sergeant Troy Ewing, # [redacted] and Detective Theo Baljet, # [redacted]

On September 10, 2015, Witness [redacted] celebrated his birthday at the restaurant with his friends, [redacted] (Witness [redacted], [redacted] (Witness [redacted], and [redacted] (Witness [redacted]. The suspect entered the restaurant and pointed a small gold gun at different groups of people in the restaurant. He swept his arm side to side as he held the gun sideways and told the people, "I got a gun…nobody run outta here" **[Witness [redacted] Homicide transcript, page 3].** The suspect was not in his right mind, and Witness [redacted] thought he was under the influence of methamphetamine.

Shortly after the suspect entered the restaurant, he ordered restaurant hostages to close the shutters to the restaurant windows. After a short time, hostages pleaded with the suspect to let the women and children leave. Witness [redacted] and a small group of other men agreed to stay behind in the restaurant if he would let others leave. The suspect agreed and most of the other hostages were allowed to exit the restaurant. Witnesses [redacted] [redacted] [redacted] and [redacted] were the only hostages who remained. The witnesses talked to the suspect and built a rapport with him. The suspect told people his name was Eddie, and that he carjacked a vehicle and crashed before he came in the restaurant. The suspect told the witnesses he had two little [redacted] but he was not going back to prison. The witnesses told the suspect he did not have to die, and those [redacted] needed a dad, even if he was in prison. The suspect seemed to be suffering and desperate. The suspect asked the witnesses if they had any drugs, because he wanted another dose of drugs so he would be numb and he could not feel the pain. Witness [redacted] was afraid and "Didn't know if he was gonna shoot us or, or take us out because that's desperation to me" **[Witness [redacted] Homicide transcript, page 3].** The suspect held the firearm in his hand at the ready the entire time.

In the seconds before the shooting, the suspect stood in the doorway to the kitchen with the firearm in his hand. Witnesses [redacted] [redacted] and [redacted] sat at the barstools. Witness [redacted] stood near the group on the barstools. Witness [redacted] heard a shot and then he dove across an aisle and onto the floor. The police entered the restaurant and yelled to get on the floor, so Witness [redacted] complied. Witness [redacted] was on the ground when he heard additional shots fired in the restaurant, but he did not see the shooting. He told the police he was a hostage and was escorted out of the restaurant. When he got up from the floor to exit he saw the suspect had been shot and laid on the floor.

IAB investigators spoke to Witness [redacted] via telephone on February 22, 2020. Witness [redacted] declined a second interview regarding the incident, and declined a request to record his declination on an audio recording.

[redacted]

On September 11, 2015, Witness [redacted] was interviewed by Homicide Bureau Sergeant Ewing and Detective Baljet.

On September 10, 2015, Witness [redacted] met with a group of friends to celebrate a birthday in the back of the restaurant. Approximately ten minutes after he arrived, he saw the suspect in the restaurant. The suspect ordered people to get down on the ground while he held a small chrome pistol in his hand. Witness [redacted] described the firearm as a very small .22 or .25 caliber handgun. After about five minutes, the suspect told women and children to leave the restaurant. The suspect later let some older hostages leave. The suspect gathered Witness [redacted] and his friends in the center of the restaurant, so they would be visible to the suspect.

The suspect was in a desperate state of mind, and he was capable of anything. The suspect told them his name was Eddie, and asked for drugs to end his life. At one point, the suspect stated he did not want to shoot himself with the .25 caliber handgun because he did not want to survive as a vegetable. Witness [redacted] empathized with the suspect and attempted to help him in order to keep him calm.

On his cellphone, Witness [redacted] recorded a video of the suspect, who spoke directly into the camera. The video was intended to be sent as a video message to the suspect's [redacted] In the video message **[EXHIBIT D - Videos, Cellphone Video Message]**, the suspect apologized for his lifestyle choices and became choked up.

Just before the suspect was shot, the suspect stood in front of the doorway that led to the kitchen and tried to recall the phone number to which the video message would be sent. Witness [redacted] was either seated or stood near the second or third bar stool from the doorway, approximately eight feet from the suspect. The suspect talked while he waved the gun around with his hand. Witness [redacted] saw the suspect struck by the bullet; "…it hit him in…I believe it hit him, like, dead in his chest" **[Witness [redacted] Homicide transcript, page 7]**.

After the suspect was shot, the suspect ran past Witness [redacted] into the back of the restaurant and Witness [redacted] fled into the aisle. The police entered the front door of the restaurant and ordered everyone to get down. Witness [redacted] got on the ground, and could no longer see the suspect. While he was on the ground, he heard multiple gunshots in the restaurant.

IAB investigators attempted to contact Witness [redacted] for an interview. Several phone calls and messages were left to contact investigators. A certified letter was sent to his residence. The letter was received, as indicated by a certified letter receipt **[Miscellaneous Documents]**. The letter instructed him to contact IAB investigators. As of the submission date of this report, Witness [redacted] has not responded.

[redacted]

On September 11, 2015, Witness [redacted] was interviewed by Homicide Bureau Sergeant Ewing and Detective Baljet.

On September 10, 2015, Witness [redacted] met with a group of friends at the restaurant to celebrate a birthday. Witness [redacted] sat in the rear of the restaurant with the group when the suspect entered the restaurant with a small chrome gun in his hand. The suspect told everyone to get down on the ground, and Witness [redacted] did not think the suspect was serious at first. Many people wanted to run out immediately, but they were scared to run for the exit because it might upset the suspect and he might start shooting.

Within the first ten minutes after he entered the restaurant, the suspect let a large group of women and children exit through the front door. Approximately ten minutes later, the suspect let another group of people exit the restaurant. The only hostages that remained in the restaurant were Witnesses [redacted] and [redacted] The four witnesses remained in the restaurant for approximately an hour, with the suspect, prior to the shooting.

The restaurant phone rang and the suspect got annoyed and told one of the witnesses to answer the phone. Witness [redacted] answered the phone several times. Some of the calls he answered were from people who tried to order food from the restaurant. Other calls were from well-wishers who saw the story on the news and wanted to see if the hostages were okay.

Witness [redacted] thought another call was possibly from the police because he heard a police radio. The caller on that particular call asked Witness [redacted] if he could run out, to which Witness [redacted] replied that he could not.

Witness [redacted] and the other hostages were allowed to move around in the restaurant. The suspect let them use the restroom, eat, answer the phones and close the blinds.

Witness [redacted] went outside, made contact with the police and requested a phone charger for the suspect. The police told him to come out of the restaurant, and Witness [redacted] considered exiting. Witness [redacted] feared his friends would be shot if he left them behind, so he declined.

Witness [redacted] recorded a cell phone video of the suspect, who wanted to make a video message for his (the suspect's) [redacted] During the video message **[EXHIBIT D - Videos, Cellphone Video Message],** the suspect put the gun in his pocket. The video message was time stamped at 8:48 PM, and lasted 2 minutes and 12 seconds.

After the video was filmed, the suspect stood approximately five feet away from Witness [redacted] and talked about writing the number down to send the message. The suspect had the gun in his left hand, with his hand in his pocket. Witness [redacted] was focused on the suspect's chest when suddenly the suspect was shot. Witness [redacted] "...Heard a boom and....saw something pop in his chest" **[Witness [redacted] Homicide transcript, page 11].**

Witness [redacted] saw blood and dove to the ground between the stool and the bar. The other hostages scattered. Witness [redacted] saw that the suspect was now near the back of the restaurant. The SWAT team entered and police ordered hostages to put their hands out. The police said something to the effect of, "He's still moving" **[Witness [redacted] Homicide transcript, page 12].** Witness [redacted] saw and heard the suspect's body being shot numerous times. He did not see what the suspect was doing just prior to being shot on the ground.

IAB investigators attempted to contact Witness [redacted] for an interview. Several phone calls and messages were left to contact investigators. A certified letter was sent to his residence. The letter was received, as indicated by a certified letter receipt **[Miscellaneous Documents]**. The letter instructed him to contact IAB investigators. As of the submission date of this report, Witness [redacted] has not responded.

[redacted]

On September 11, 2015, Witness [redacted] was interviewed by Homicide Bureau Sergeant Ewing and Detective Baljet.

On September 10, 2015, Witness [redacted] sat with a group of friends in the back of the restaurant. They saw police car lights through the windows and thought someone got pulled over outside. They heard commotion in the restaurant and they heard somebody had a gun. People in the restaurant got down under the tables. The suspect moved around the restaurant and told women and kids to leave. The suspect directed the group of hostages to the center part of the restaurant. One by one, the suspect gave permission for hostages to leave the group that was gathered. Eventually only Witness [redacted] and his friends remained with the suspect.

Witness [redacted] built a rapport with the suspect and talked to him about God and asked why he was doing this. The suspect told the remaining hostages his name was Eddie, and that he did not want to go back to prison. The suspect

said he had [redacted] The suspect mentioned that his handgun was a .25 caliber, and that he was from the Long Beach Barrio Pobre gang. The suspect wanted to end his life, but he was afraid and wanted "Somebody to take it off him" **[Witness [redacted] Homicide transcript, page 12].** Witness [redacted] suggested wrestling the gun away from the suspect, but his friends talked him out of it. Witness [redacted] and his friends became comfortable with the suspect and ate together. The suspect had the gun in one hand and a cup in the other hand.

Witness [redacted] saw police outside of the kitchen window looking through a scope into the restaurant, behind the suspect. In the five minutes before the shooting, the suspect had the gun in his pocket. Witness [redacted] looked at the police officer and nodded his head to acknowledge that he saw the officer, and moved out of the way because he did not want to be in the path of the scope if a shooting was to occur.

Witness [redacted] heard a loud bang, and the suspect ran toward his direction as he tried to remove the gun from his pocket. Witness [redacted] heard more gun shots immediately after, but he did not see if the suspect was shot. He looked and saw the suspect fell to the ground with his eyes open and the gun in his hand. Witness [redacted] shouted "Suspect down" **[Witness [redacted] Homicide transcript, pages 3-4].**

Approximately ten seconds later, the police entered the restaurant and told everyone to get on the ground. Witness [redacted] went to the ground and could no longer see the suspect. He heard police tell the suspect, "Don't move" **[Witness [redacted] Homicide transcript, page 11].** Witness [redacted] heard more gunshots and was handcuffed and escorted out of the restaurant by police shortly thereafter.

IAB investigators attempted to contact Witness [redacted] for an interview. Several phone calls and messages were left to contact investigators. A certified letter was sent to his residence. The letter was received, as indicated by a certified letter receipt **[Miscellaneous Documents]**. The letter instructed him to contact IAB investigators. As of the submission date of this report, Witness [redacted] has not responded.